

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TELCORDIA TECHNOLOGIES, INC.,)	
)	
Plaintiff,)	
Counterclaim-Defendant,)	
)	
v.)	Civil Action No. 04-876-GMS
)	
CISCO SYSTEMS, INC.,)	
)	
Defendant,)	
Counterclaim-Plaintiff.)	
)	

**TELCORDIA’S REPLY TO CISCO SYSTEMS, INC.’S
AMENDED COUNTERCLAIMS AND DEMAND FOR JURY TRIAL**

Plaintiff Telcordia Technologies, Inc. (“Telcordia”) responds to each of the numbered paragraphs of the Counterclaims of Cisco Systems, Inc. (“Cisco”), as set forth in its Amended Answer to Complaint, Affirmative Defenses, and Counterclaims (“Amended Counterclaims”), as follows:

JURISDICTION AND VENUE

1. Telcordia admits the allegations of paragraph 43 of Cisco’s Amended Counterclaims.

THE PARTIES

2. Telcordia admits the allegations of paragraph 44 of Cisco’s Amended Counterclaims.

3. Telcordia admits the allegations of paragraph 45 of Cisco’s Amended Counterclaims.

FIRST COUNTERCLAIM
DECLARATORY JUDGMENT '306 PATENT

4. Paragraph 46 of Cisco's Amended Counterclaims incorporates paragraphs 1-45 by reference. Paragraphs 1-24, however, answer paragraphs 1-32 of Telcordia's Complaint and Telcordia does not believe that responding to Cisco's answers to Telcordia's allegations is either necessary or appropriate. Paragraph 33 of Cisco's Amended Counterclaims indicates that Cisco "reserves the right to allege additional defenses as they become known through the course of discovery." Telcordia denies that Cisco has any meritorious defense to the allegations set out in Telcordia's Complaint. Similarly, Telcordia denies that the defenses alleged in paragraphs 34-42 of Cisco's Amended Counterclaims are meritorious.

5. In response to paragraph 47 of Cisco's Amended Counterclaims, Telcordia admits that Cisco purports to counterclaim against Telcordia pursuant to the patent laws of the United States, Title 35 of the United States Code, and the Declaratory Judgments Act, 28 U.S.C. §§ 2201 and 2202.

6. Telcordia admits the allegations of paragraph 48 of Cisco's Amended Counterclaims.

7. Telcordia admits the allegations of paragraph 49 of Cisco's Amended Counterclaims.

8. Telcordia denies the allegations of paragraph 50 of Cisco's Amended Counterclaims.

9. Telcordia denies the allegations of paragraph 51 of Cisco's Amended Counterclaims.

SECOND COUNTERCLAIM
DECLARATORY JUDGMENT '633 PATENT

10. Telcordia incorporates paragraphs 4-9 (which reply to paragraphs 46-51 of Cisco's Amended Counterclaims) of this Reply to Cisco's Amended Counterclaims in response to paragraph 52 of Cisco's Amended Counterclaims.

11. In response to paragraph 53 of Cisco's Amended Counterclaims, Telcordia admits that Cisco purports to counterclaim against Telcordia pursuant to the patent laws of the United States, Title 35 of the United States Code, and the Declaratory Judgments Act, 28 U.S.C. §§ 2201 and 2202.

12. Telcordia admits the allegations of paragraph 54 of Cisco's Amended Counterclaims.

13. Telcordia admits the allegations of paragraph 55 of Cisco's Amended Counterclaims.

14. Telcordia denies the allegations of paragraph 56 of Cisco's Amended Counterclaims.

15. Telcordia denies the allegations of paragraph 57 of Cisco's Amended Counterclaims.

THIRD COUNTERCLAIM
DECLARATORY JUDGMENT '763 PATENT

16. Telcordia incorporates paragraphs 4-15 (which reply to paragraphs 46-57 of Cisco's Amended Counterclaims) of this Reply to Cisco's Amended Counterclaims in response to paragraph 58 of Cisco's Amended Counterclaims.

17. In response to paragraph 59 of Cisco's Amended Counterclaims, Telcordia admits that Cisco purports to counterclaim against Telcordia pursuant to the patent laws of the United

States, Title 35 of the United States Code, and the Declaratory Judgments Act, 28 U.S.C. §§ 2201 and 2202.

18. Telcordia admits the allegations of paragraph 60 of Cisco's Amended Counterclaims.

19. Telcordia admits the allegations of paragraph 61 of Cisco's Amended Counterclaims.

20. Telcordia denies the allegations of paragraph 62 of Cisco's Amended Counterclaims.

21. Telcordia denies the allegations of paragraph 63 of Cisco's Amended Counterclaims.

PRAYER FOR RELIEF

Wherefore, Telcordia denies that Cisco is entitled to judgment in its favor on any of its counterclaims and further denies that Cisco is entitled to any relief based on its counterclaims, including the relief requested in paragraphs (A) through (G) of Cisco's Prayer for Relief.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Telcordia requests a trial by jury of all issues so triable.

ASHBY & GEDDES

/s/ John G. Day

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Dated: September 29, 2005
161878.1

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of September, 2005, the attached **TELCORDIA'S
REPLY TO CISCO SYSTEMS, INC.'S AMENDED COUNTERCLAIMS AND DEMAND
FOR JURY TRIAL** was served upon the below-named counsel of record at the address and in
the manner indicated:

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VIA FEDERAL EXPRESS

/s/ John G. Day

John G. Day